

**MINUTES OF REGULAR MEETING OF
GREENSBORO PLANNING BOARD
APRIL 19, 2006**

The Greensboro Planning Board met in regular session on Wednesday, April 19, 2006 at 2:04 pm, in the City Council Chamber, 2nd floor, Melvin Municipal Office Building. Board members present were: Chair Dick Hall, Tim Bryson, J.P. McIntyre, Stephen Marks, Joel Landau and John Rhodes. Planning staff members present were: Dick Hails, Planning Director, Alec MacIntosh, Jimmy Person and Ricky Hurley.

Chair Hall called the Planning Board into session.

APPROVAL OF MINUTES OF THE MARCH 15, 2006 REGULAR MEETING.

Mr. Bryson moved to approve the minutes of the March 15, 2006 regular meeting, seconded by Mr. Rhodes. The minutes were approved by unanimous vote.

PUBLIC HEARINGS:

A. ORDINANCE CHANGING THE STREET NAME OF THE WESTERNMOST SECTION OF BYERS ROAD (CONTINUED FROM MARCH MEETING). (RECOMMENDED)

Mr. Person stated that Byers Road has three sections. It is the westernmost section that is proposed for a name change. It is paved and City-maintained, and 10 houses are addressed on it. A preliminary subdivision plat has been approved that continues the alignment of this section both northward and southward and now proposes the name Byers Ridge Drive. The east-west section of Byers Road will tee into this alignment. It is City policy that a continuous alignment of a local street carry one street name wherever practical. Mr. Joe Westmoreland spoke at last month's Board meeting on behalf of the residents and in opposition to changing the street name. At that meeting, this item was tabled to allow additional discussion between the residents and the developer. That discussion has apparently yielded agreement on the new name of Byers Ridge Drive. The Technical Review Committee (TRC) recommends that street name change.

Mr. Rhodes moved to recommend the street name change to City Council, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

B. ORDINANCE AMENDING TABLE 30-4-5-1, PERMITTED USE SCHEDULE, OF THE GREENSBORO DEVELOPMENT ORDINANCE TO PERMIT CORRECTIONAL INSTITUTIONS IN THE CENTRAL BUSINESS ZONING DISTRICT BY SPECIAL USE PERMIT. (RECOMMENDED)

Mr. Hails reported that this amendment was requested by Guilford County to accommodate a future new jail building downtown. The amendment was recommended by the Multijurisdictional Development Ordinance Committee (MDOC) at its April meeting. It is also recommended by the Planning Department.

Mr. McIntyre moved to recommend the Ordinance amendment to City Council, seconded by Mr. Marks. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

C. RESOLUTION CLOSING TREVA DRIVE FROM YOUNG STREET SOUTHEASTWARD TO COX BOULEVARD, A DISTANCE OF APPROXIMATELY 805 FEET. (RECOMMENDED)

AND**D. RESOLUTION CLOSING COX BOULEVARD FROM TREVA DRIVE EASTWARD TO ITS TERMINUS, A DISTANCE OF APPROXIMATELY 380 FEET. (RECOMMENDED)**

Mr. Person stated that the property on both sides of Treva Drive, save on its west side at its southern end, is being assembled for a future development. At present, however, there are multiple owners. When the Technical Review Committee (TRC) reviews plans for development of the property, a turnaround of a design satisfactory to the Greensboro Department of Transportation (GDOT) will be required. These streets were dedicated in 1954. Both have been open in the past, but the northernmost two lots worth of Treva Drive is the only part of either that is paved and maintained today. The rest is dirt road. That paved part of Treva Drive provides access to a house at 202 Treva Drive, which is the only building taking access to either street. There are City sewer lines in both streets; upon street closing a 20-foot easement will be retained over each line until no longer needed for public service. There is a City water line in the northernmost portion of Treva Drive; upon street closing a 20-foot easement will be retained over this line until no longer needed for public service. The Treva Drive petition has been signed by the owners of 91% of the abutting frontage. Carol Pickard, owner of the frontage on the west side at the southern end, has not signed. Her property is developed, with its access onto Meadowood Street. The Cox Boulevard petition has been signed by owners of 92% of the frontage. All properties with Cox Boulevard frontage also have frontage on another street. The TRC feels circumstances here allow the City to make the two required determinations for a street closing: (1) that the closing is not contrary to the public interest and (2) that no property owner in the vicinity is deprived of reasonable means of ingress and egress. Therefore, the TRC recommends the closings, with the closings to become effective only when all the properties whose sole access is Treva Drive have been assembled into a single ownership.

Pat Adams, attorney representing some of the petitioners, and John Sears, a petitioner, stated that they were available to answer questions. The Board asked several questions of this petitioner in order to satisfy themselves that the non-signer of the petition was not in opposition to these street closings.

Mr. McIntyre moved to recommend both these street closings to City Council, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

E. RESOLUTION CLOSING EXCESS RIGHT-OF-WAY OF OLD TREYBROOKE DRIVE AT ITS INTERSECTION WITH WEST ELMSLEY DRIVE. (RECOMMENDED)

Mr. Person stated that, due to street alignment changes, a section of right-of-way about 350 feet long now carries no traffic and has been petitioned for closing by the owner of all the abutting property (100% petition). There is an 8-inch sewer line and a 12-inch water line in this section. Upon closing, 20-foot easements will be retained over each of these until no longer needed for public service. In similar fashion, 15-foot easements will be retained over any other utility lines until no longer needed for public service. A subdivision plat has been received proposing to place this to-be-closed right-of-way, as well as the land between it and the new street alignment, into lots. The TRC recommends the closing.

Mr. Bryson recommended the street closing to City Council, seconded by Mr. Marks. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

REVISED UNIFIED DEVELOPMENT PLAN – GRANDOVER – TO DECREASE THE REAR SETBACK REQUIREMENT ADJACENT TO OPEN SPACE IN ONE SECTION – FOR KOURY CORPORATION. (APPROVED)

Mr. MacIntosh stated that the approved unified development plan specifies a minimum rear setback of 20 feet in office and commercial areas, and a footnote decreases this to 15 feet adjoining common area and dedicated open space. The requested revision is to change the footnote to permit zero setback adjoining such areas in Section 10 of Grandover, which is the section containing office buildings near the intersection of Grandover Parkway and Stone Village Road. The TRC recommends approval, as no buildings are anticipated in the common area or dedicated open space on the opposite side of property lines from Section 10 buildings.

Mr. Marks moved to approve the Unified Development Plan revision, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

ANNEXATION PETITIONS:

A. ORDINANCE ANNEXING PROPERTY OF DAVID AND MICHELLE JARMAN AT 5410 CEDAR FIELD DRIVE – 0.232-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that this lot with an existing house abuts the primary city limits along its east side. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. The house is connected to City water and sewer. Fire service can be provided to this property with low difficulty. The Police Department estimates very minor impact on its service provision. Other City services can be provided in a manner similar to their provision to the previously-annexed houses nearby. The TRC recommends the annexation.

Mr. Landau moved to recommend the annexation to City Council, seconded by Mr. Rhodes. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

B. ORDINANCE ANNEXING PROPERTY OF GERALD L. OWEN, HEIRS AT 4901 LAKE JEANETTE ROAD – 1.01-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that this is a “doughnut hole” property, entirely surrounded by the city limits. Its prospective use is for 7 or 8 condominium or townhouse units. There is a 24-inch water line in the street along the property frontage. There is no sewer line alongside the property at present. However, a sewer line to it has been authorized to be extended by the City in conjunction with Lake Jeanette Road widening. The property is less than a quarter mile from a fire station. The Police Department estimates very minor impact on its service provision. Other City services can be provided in a manner similar to their provision to the previously-annexed properties nearby. The TRC recommends the annexation.

Mr. Rhodes moved to recommend the annexation to City Council, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

C. ORDINANCE ANNEXING PROPERTY OF FREDERICK BUTLER, JR. AT 4535 W. WENDOVER AVENUE – 6.118-ACRE SATELLITE ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated this property is approximately 900 feet west of the city limits. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. Its prospective use is for a condominium development of 110-120 units. There is an 8-inch water line as well as an 8-inch sewer line in the street along the property frontage. Fire service can be provided with moderate difficulty, as this property is at the edge of the City Fire Department’s response capability. There is a rural fire department with whom the City can contract. The Police Department estimates minor impact on its service provision. Other City services can be provided in a manner

similar to their provision to the previously-annexed properties to the east. The TRC recommends the annexation.

Mr. Bryson moved to recommend the annexation to City Council, seconded by Mr. Marks. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

D. ORDINANCE ANNEXING PROPERTY OF HUMANE SOCIETY OF THE PIEDMONT AT 4527 W. WENDOVER AVENUE – 2.415-ACRE SATELLITE ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated this property is approximately 300 feet west of the city limits, being diagonally across the West Wendover Avenue-Sapp Road intersection. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. It is occupied by the Humane Society building. The Humane Society submitted a utility agreement and annexation petition in 2000 in order to get City water and sewer. There is an 8-inch water line as well as an 8-inch sewer line in the street along the property frontage. Fire service can be provided with moderate difficulty, as this property is at the edge of the City Fire Department's response capability. There is a rural fire department with whom the City can contract. The Police Department estimates minor impact on its service provision. Other City services can be provided in a manner similar to their provision to the previously-annexed properties to the east. The TRC recommends the annexation.

Mr. Bryson moved to recommend the annexation to City Council, seconded by Mr. Rhodes. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

E. ORDINANCE ANNEXING PROPERTIES OF NANCY L. COLTRANE, TAMARA C. EDWARDS, LEON MILLER, AND JULIA V. MILLER AT 831-833 GUILFORD COLLEGE ROAD – 1.969-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated this property adjoins the city limits on a portion of its northeast side and all of its northwest side. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. Its prospective use is for a restaurant/coffee shop with drive-thru. There is a 12-inch water line in Guilford College Road and in Sapp Road, along both the property's frontages. There is no sewer line alongside the property at present. It is the City's policy that the property owner is responsible for extending a sewer line. Fire service can be provided with moderate difficulty, as this property is at the edge of the City Fire Department's response capability. There is a rural fire department with whom the City can contract. The Police Department estimates moderate impact on its service provision, resulting mainly from vehicle conflicts turning into and out of the property. Other City services can be provided in a manner similar to their provision to the previously-annexed properties nearby. The TRC recommends the annexation.

Mr. Rhodes moved to recommend the annexation to City Council, seconded by Mr. Marks. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

EASEMENT RELEASES:

A. RESOLUTION AUTHORIZING RELEASE OF ALL OF A DRAINAGE MAINTENANCE AND UTILITY EASEMENT AROUND A BIO-RETENTION AREA AT 4606-4612 OLD BATTLEGROUND ROAD. (APPROVED)

Mr. Landau moved to approve the easement release, seconded by Mr. Marks. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

A. REQUEST TO CALL A PUBLIC HEARING FOR THE MAY MEETING ON CHANGING THE NAME OF THE PORTION OF HORSE PEN CREEK ROAD LYING EAST OF BATTLEGROUND AVENUE TO OLD BATTLEGROUND ROAD. (APPROVED)

Mr. McIntyre moved to call public hearing for May, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Bryson, Hall, Marks, McIntyre, Landau and Rhodes. Nays: None.)

Mr. Hails stated that ex-Chair Downs had previously served on the MDOC and a new member from the Planning Board is now needed. After some discussion, Mr. Bryson volunteered to fill this post.

APPROVAL OF ABSENCES:

The absences of Mr. Koonce and Mr. Fox were unanimously approved.

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There being no further business before the Board, the meeting was adjourned at 2:45 p.m.

Respectfully submitted,

Richard W. Hails, AICP
Planning Director

RWH/jd,ps